

E-Filed 11/12/2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

DESIREE MARIE GEORGE,

Plaintiff,

v.

NEW CENTURY MORTGAGE
CORPORATION; CARRINGTON MORTGAGE
SERVICES; ATLANTIC & PACIFIC
FORECLOSURE SERVICES; and DOES 1-100,

Defendants.

Case Number C 10-03928-JF (HRL)

ORDER¹ ADOPTING REPORT AND
RECOMMENDATION TO DISMISS
WITH LEAVE TO AMEND AND
GRANT MOTION TO EXPUNGE *LIS
PENDENS*

[RE: Doc. Nos. 4, 5, 16]

On August 2, 2010, Plaintiff Desiree Marie George, proceeding *pro se*, filed a complaint against Defendants in the Stanislaus County Superior Court. On August 3, 2010, Plaintiff served a notice of pendency of action. On September 1, 2010, based upon federal questions presented in the complaint, Defendants removed the action to this Court.

On October 14, 2010, Magistrate Judge Howard R. Lloyd filed a Report and Recommendation, in which he concluded that the complaint should be dismissed with leave to amend and the *lis pendens* should be expunged. Plaintiff has not filed any objections to Judge Lloyd's Report and Recommendation. Pursuant to 28 U.S.C. § 636(b)(1), Federal Rule of Civil Procedure 72(b), and Civil Local Rule 72-3, this Court concurs with and adopts in its entirety Judge Lloyd's Report and Recommendation. Accordingly, the complaint will be dismissed with

¹ This disposition is not designated for publication and may not be cited.

1 leave to amend, and the *lis pendens* will be expunged. Any amended pleading must be filed
2 within thirty (30) days of the date of this order.

3 IT IS SO ORDERED.

4 DATED: 11/12/2010

5 
JEREMY FOGEL
United States District Judge

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7 Copies of Order served on:

8
9 Desiree Marie George
10 1823 Henry Way
Turlock, CA 95380